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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,244	06/28/2001	Sreeram Duvvuru	P6197	9154

7590 08/12/2004

Wagner, Murabito & Hao LLP
Two North Market Street
Third Floor
San Jose, CA 95113

EXAMINER

PARTON, KEVIN S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,244

Applicant(s)

DUVVURU, SREERAM

Examiner

Kevin Parton

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/21/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because:
 - a. It is not a single paragraph
 - b. It exceeds the maximum allowed number of words
 - c. The phrase "Briefly, in accordance with...embodiment of the invention" is used three times in the abstract. This phrase is unnecessary and should be removed

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Naveh et al. (USPN 6,466,984).
5. Regarding claims 1, 10, and 19, Naveh et al. (USPN 6,466,984) teaches a system for providing differentiated quality of service in an application server with means for:
 - a. Receiving a request (figure 2, element 222; figure 7B; column 9, lines 26-28; column 12, lines 46-48). Note that the application types receive both user requests and requests from other applications.
 - b. Providing pre-determined policy data (column 13, lines 36-39).
 - c. Establishing a quality of service context based on the request and the policy data (column 11, lines 45-47).
 - d. Propagating the quality of service context with the request (column 11, lines 51-53; column 12, lines 10-12).
6. Regarding claims 2, 11, and 20, Naveh et al. (USPN 6,466,984) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the request includes at least one of user identity, current user role, requested service, and time constraint (column 9, lines 26-28; column 13, lines 36-39; column 14, lines 61-63, 66-67).
7. Regarding claims 3, 12, and 21, Naveh et al. (USPN 6,466,984) teaches all the limitations as applied to claims 1, 10, and 19, respectively. He further teaches means

wherein the quality of service context includes at least one of service class, priority, and deadline (column 13, lines 36-39).

8. Regarding claims 4, 13, and 22, Naveh et al. (USPN 6,466,984) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the establishing a quality of service context is completed at an ingress point (column 11, lines 45-48).

9. Regarding claims 5, 14, and 23, Naveh et al. (USPN 6,466,984) teaches all the limitations as applied to claims 4, 13, and 22, respectively. They further teach means wherein the ingress point is at least one of a web server plug-in within a web server client and a protocol manager within the application server (column 11, lines 29-31, 45-47). Note that the application server manages the application of policy as a type of policy manager.

10. Regarding claims 6, 15, and 24, Naveh et al. (USPN 6,466,984) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means for propagating the quality of service context with a subsequent request related to the request (column 11, lines 51-53; column 12, lines 10-12). Note that any related request is going to have the same policy applied so it will have the quality of service context propagated as well.

11. Regarding claims 7, 16, and 25, Naveh et al. (USPN 6,466,984) teaches all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein the propagating includes inserting the quality of service context adjacent to at least one of a security and transaction context (figure 1a).

12. Regarding claims 8, 17, and 26, Naveh et al. (USPN 6,466,984) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein a load balancing service dispatches the request including the quality of service context, to an application server in a plurality of application servers, based on the quality of service context (column 11, lines 32-36; figure 6a). Note that QoS information may be obtained from a central repository for all application servers.

13. Regarding claims 9, 18, and 27, Naveh et al. (USPN 6,466,984) teach all the limitations as applied to claims 1, 10, and 19, respectively. They further teach means wherein a request manager service dispatches the request including the quality of service context, to a component in a plurality of components, based on the quality of service context (column 12, lines 10-12).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the following:

- a. Gai et al. 9USPN 6,167,445
- b. Li et al. (USPN 6,738,819)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

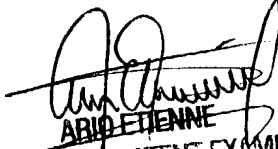
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Parton
Examiner
Art Unit 2153

ksp


ARLETTE
SUPERVISORY PATENT EXAMINER
TECHNICAL SERVICES